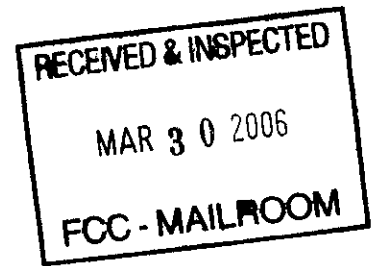


CGB-CC-0489



Office of the Secretary
Federal Communications Commission
Attention: CGB Room 3-B431
445 12th St. SW
Washington, DC 20554

RE: Petition for Full exemption from closed caption requirements.

To Whom it may concern,

WISCONSIN'S WATERS & WOODS LLC respectfully submits this petition requesting exemptions from the closed captioning requirements under the Commission's Rules, 47 C.F.R. 79.1 based on the undue burden standard and regulations.

INTRODUCTION AND OVERVIEW:

WISCONSIN'S WATERS & WOODS LLC was formed in 1991. The primary objective of the show is to provide a current news source of fishing opportunities in the Upper Midwest. I produce 52 shows a year and I am the only full time employee of the LLC.

The program is filmed on location in Wisconsin, Minnesota, Ohio, Illinois, and Canada on Monday, Tuesday, or Wednesday and must be edited on Thursday to be sent out to the stations for Saturday and Sunday airdates. This process is repeated 52 weeks a year to give viewers up to date and current information.

The program length is 28 minutes and 30 seconds. It is advertiser supported and mailed to the following stations every week:

COMCAST SPORTS NET CHICAGO, IL (9:00 AM SATURDAYS)
WVTV, MILWAUKEE, WI (10:30 AM SUNDAYS)
FOX SPORTS NET NORTH, MINNEAPOLIS, MN (9:00 AM SATURDAYS)

We purchase the airtime from these stations and sell the advertising.

Due to financial constraints I am responsible for the entire production of each weekly episode. I host the show, edit the show and make the station dubs. I hire photographers as independent contractors.

NATURE AND COST OF THE CLOSED CAPTIONING FOR THE PROGRAMMING:

WVTV, Milwaukee was the station that informed us of our need to close caption, however, the station and I felt we fell under EXEMPTION NUMBER EIGHT (8) "NON NEWS PROGRAM WITH NO REPEAT VALUE." They are now informing us that we must petition the F.C.C. for exemption.

We have solicited vendors to perform close-captioning on our behalf. The best price we have been quoted is \$350 per episode from WVTV, Milwaukee. WVTV has told us they would require the program in-house 4 days in advance of airing due to formatting. The \$18,200.00 annual cost would create a financial hardship for a one-man company and it would change the concept of the show.

IMPACT OF THE OPERATION:

In addition to the direct financial burden, close captioning would jeopardize the uniqueness and success of the program.

1. SCHEDULING:

To our knowledge, "WISCONSIN'S WATERS & WOODS" is the only program in the country to air a new and current half hour outdoor program every week. As stated earlier I film the show Monday thru Wednesday, (Traveling throughout a 7 state area). On Thursday I edit the show, it must be at FEDEX by 7:00 pm on Thursday night.

The success and uniqueness of "WISCONSIN'S WATERS & WOODS" is dependent on providing new and current information to the fishermen in the upper Midwest who have come to rely on our show and trust it's timeiness.

To change our format and delay the airing of our program would adversely affect many of our sponsors who have specific time oriented mentions, features, and commercials. Our hard costs could be significantly higher due to loss of sponsors.

To retain our current format it would be impossible to employ close captioning.

FORMAT:

"WISCONSIN'S WATERS & WOODS" has myself as the host. In addition we have a guest fishing expert each week. We discuss and demonstrate fishing techniques and we display sponsor products. To do this we use logos, graphics and feature still pictures. To do this we require the entire screen. Without the use of the entire screen another source of revenue would be jeopardized.

Close Captioning would also negatively alter the aspect of the show for the hearing impaired, the Spanish speaking, and those people who watch the show without sound and want to see the graphics.

WORKLOAD:

As I mentioned earlier I am a one-man operation. My photographers work for me on a daily basis as independent contractors. Due to financial constraints they are not involved in the weekly production of the show. Each and every week it is difficult to meet deadlines, however the entire success of the show is it's timeliness. To get this accomplished I currently work 60 hours a week.

To cut costs I work out of my home and cannot afford to hire additional staff to ease my workload.

FINANCIAL RESOURCES OF PROGRAM PROVIDER:

My adjusted gross income from 2004 was \$122,942.

In 2006 I face higher business costs. My contracts with television stations call for increases. Independent contractor fees have to be increased. We need new TV equipment as we have to update to HIGH DEFINITION to meet future F.C.C. requirements (this will be a \$30,000 investment).

In additin the 35% increase in the cost of fuel has really hit us hard. We drive 40,000 miles a year to various shooting locations. Costs associated with maintaining my home office have also increased dramatically.

Looking at these cost increases coming in 2006 and the \$18,200.00 plus travel expenses to WVTM MILWAUKEE, (I live in the country) for close captioning would reduce my net income by almost 50%.

There is also considerable concern about the loss of sponsors if we are forced to abandon our current format of airing a new show filmed on location each week.

ALTERNATIVES AVAILABLE AS SUBSTITUTES FOR CLOSE-CAPTIONING:

We will continue to employ graphics and written information on the screen which displays where and when we are fishing.

SUMMARY:

We request the Commission grant "WISCONSIN'S WATERS & WOODS LLC" a full exemption because requiring close captioning would create an undue burden for the following reasons.

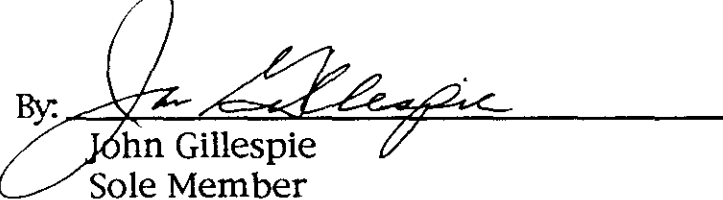
1. Close captioning would eliminate our current format of airing new and timely information each and every week. This is what sets us apart from other shows and has made us successful.
2. Close captioning would reduce my income by 13%.
3. Close captioning could cause loss of sponsors who buy our show because it is current and they can display their products and messages. We require full screen capabilities for paid in-show promotions.

4. We also feel we fall under SECTION D, EXEMPTIONS NUMBER (8).
"WISCONSIN'S WATERS & WOODS" is a locally produced and
distributed non-news program with no repeat value.
It is of public interest, is non-news programming and the
"electronic newsroom" technique of captioning is unavailable.

Thank you for your consideration. I look forward to your response.

Respectfully submitted,

WISCONSIN'S WATERS & WOODS LLC

By: 
John Gillespie
Sole Member

WISCONSIN'S WATERS & WOODS LLC
339 W. White Oak Way
Mequon, WI 53092

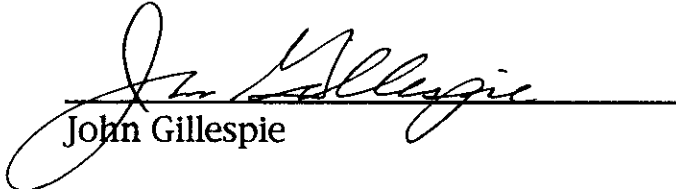
E Mail: jwgproductions@yahoo.com

AFFIDAVIT

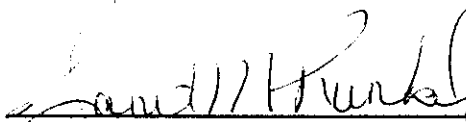
STATE OF WISCONSIN

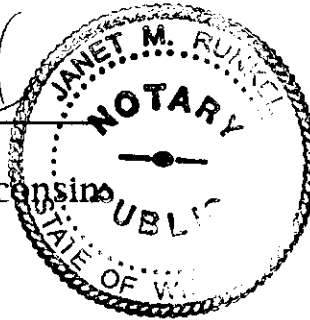
COUNTY OF OZAUKEE

Before me, the undersigned authority, on this the 10th day of March, 2006, personally appeared John Gillespie in his capacity as President and sole Member of WISCONSIN'S WATERS & WOODS LLC, the petitioner in the forgoing Petition for Close Captioning Exemption, and being by me duly sworn on oath deposes and avers that all statements and representations made in the Petition are true and accurate in substance and fact.


John Gillespie

SWORN TO and SUBSCRIBED BEFORE ME, by the said John Gillespie this the 10th day of March, 2006, to certify and witness my hand and seal of office.


Janet Runkel
Notary Public, State of Wisconsin



Label
(See instructions.)Use the
IRS label.
Otherwise,
please print
or type.Presidential
Election
Campaign
(See instructions.)

For the year Jan 1 - Dec 31, 2004, or other tax year beginning 2004, ending 20		OMB No. 1545-0074
Your first name JOHN	MI W	Last name GILLESPIE
If a joint return, spouse's first name PATRICIA		MI J
Last name GILLESPIE		Spouse's social security number [REDACTED]
Home address (number and street). If you have a P.O. box, see instructions. 339 WEST WHITE OAK WAY		Apartment no. [REDACTED]
City, town or post office. If you have a foreign address, see instructions. MEQUON		State ZIP code WI 53092

Important!
You must enter your social security number(s) above.

Note: Checking "Yes" will not change your tax or reduce your refund.
Do you, or your spouse if filing a joint return, want \$3 to go to this fund? ☐ Yes ☒ No ☐ Yes ☒ No

Filing Status

Check only
one box.

- 1 ☐ Single
2 ☒ Married filing jointly (even if only one had income)
3 ☐ Married filing separately. Enter spouse's SSN above & full name here ☐ Qualifying widow(er) with dependent child (see instructions)

Exemptions

- 6a ☒ Yourself. If someone can claim you as a dependent, do not check box 6a
b ☒ Spouse

c Dependents:		(2) Dependent's social security number	(3) Dependent's relationship to you	(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see instrs)	On 6c who: • lived with you 2 • did not live with you due to divorce or separation (see instrs) Dependents on 6c not entered above Add numbers on lines above
(1) First name	Last name				
BLAKE C	GILLESPIE	399-11-9931	Daughter	<input checked="" type="checkbox"/>	
TAYLOR M	GILLESPIE	399-06-4790	Son	<input checked="" type="checkbox"/>	
				<input type="checkbox"/>	
				<input type="checkbox"/>	

If more than
four dependents,
see instructions.d Total number of exemptions claimed **4**

Income

Attach Form(s)
W-2 here. Also
attach Forms
W-2G and 1099-R
if tax was withheld.If you did not
get a W-2,
see instructions.Enclose, but do
not attach, any
payment. Also,
please use
Form 1040-V.

7 Wages, salaries, tips, etc. Attach Form(s) W-2	7	
8a Taxable interest. Attach Schedule B if required	8a	561.
b Tax-exempt interest. Do not include on line 8a	8b	
9a Ordinary dividends. Attach Schedule B if required	9a	5,356.
b Qualified divs (see instrs)	9b	5,108.
10 Taxable refunds, credits, or offsets of state and local income taxes (see instructions)	10	
11 Alimony received	11	
12 Business income or (loss). Attach Schedule C or C-EZ	12	154,435.
13 Capital gain or (loss). Att Sch D if reqd. If not reqd, ck here <input type="checkbox"/>	13	-3,000.
14 Other gains or (losses). Attach Form 4797	14	
15a IRA distributions	15a	
b Taxable amount (see instrs)	15b	
16a Pensions and annuities	16a	
b Taxable amount (see instrs)	16b	
17 Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E	17	
18 Farm income or (loss). Attach Schedule F	18	
19 Unemployment compensation	19	
20a Social security benefits	20a	
b Taxable amount (see instrs)	20b	
21 Other income	21	
22 Add the amounts in the far right column for lines 7 through 21. This is your total income	22	157,352.

Adjusted
Gross
Income

23 Educator expenses (see instructions)	23	
24 Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24	
25 IRA deduction (see instructions)	25	
26 Student loan interest deduction (see instructions)	26	
27 Tuition and fees deduction (see instructions)	27	
28 Health savings account deduction. Attach Form 8889	28	
29 Moving expenses. Attach Form 3903	29	
30 One-half of self-employment tax. Attach Schedule SE	30	7,518.
31 Self-employed health insurance deduction (see instrs)	31	11,892.
32 Self-employed SEP, SIMPLE, and qualified plans	32	15,000.
33 Penalty on early withdrawal of savings	33	
34a Alimony paid. b Recipient's SSN	34a	
35 Add lines 23 through 34a	35	34,410.
36 Subtract line 35 from line 22. This is your adjusted gross income	36	122,942.